




Docket No.: 546322000304
(PATENT)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, **EXPRESS MAIL LABEL NO. EV 381 798 246 US** on the date indicated below and is addressed to: **Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Date: July 23, 2004


Lilla Olsen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael W. GRAHAM et al.

Application No.: 10/821,710

Confirmation No.: 1697

Filed: April 8, 2004

Art Unit: Not Yet Assigned

For: CONTROL OF GENE EXPRESSION

Examiner: Not Yet Assigned

07/26/2004 HLE333 00000054 031952 10821710

01 FC:1460 130.00 DA

**PETITION TO MAKE SPECIAL
UNDER 37 CFR 1.102(d)**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is a Petition to Make Special the above-identified patent application.

In support of this Petition, the applicants submit the following statement:

1. The invention provides novel synthetic genes and genetic constructs which are capable of repressing, delaying, or otherwise reducing the expression of an endogenous gene or a target gene in an organism when introduced thereto.

sf-1738098

2. The invention can be used to repress, delay, or otherwise reduce the expression of genes, such as genes involved in replication and reproduction, which are essential in the life cycle of viral pathogens such as immunodeficiency viruses.

3. By repressing the expression of genes essential in the life cycle of immunodeficiency viruses, the invention will contribute to the treatment or prevention of HIV/AIDS.

Accordingly, applicant requests that this Petition to Make Special based on the contribution of this invention to the diagnosis, treatment, or prevention of HIV/AIDS under MPEP 708.02 X be granted and the application undergo accelerated examination.

Please charge our Deposit Account No. 03-1952 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h) or (i). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Deposit Account No. 03-1952, under Order No. 546322000304**. A duplicate copy of this paper is enclosed.

Dated: July 23, 2004

Respectfully submitted,

By Michael R. Ward

Michael R. Ward

Registration No.: 38,651

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105

(415) 268-6237